

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.606(b),)	MB Docket No. 04-289
Table of Allotments,)	RM-10802
Television Broadcast Stations, and)	
Section 73.622(b), Table of Allotments)	
Digital Television Broadcast Stations)	
(Columbia and Edenton, North Carolina))	

DECLARATION OF CARL DAVIS

1. I, Carl Davis, declare that I am more than eighteen (18) years old and am under no disability. I have personal knowledge of the matters set forth in this Declaration, and I am competent to testify to them.

2. I am the Assistant General Manager and Director of Engineering of UNC-TV, authorized by the Board of Governors of The University of North Carolina to operate the UNC-TV statewide public educational television network, including Television Station WUND, Columbia, North Carolina.

3. UNC-TV operates a network consisting of a main production facility and station (WUNC-TV) in the Research Triangle Park, eleven full-power analog and digital satellite television stations (of which WUND is one), and numerous translator stations. Pursuant to Commission waiver, UNC maintains a single main studio in central North Carolina for all of the UNC-TV network stations, and there is no studio, personnel or other physical presence in Columbia or Edenton.

4. UNC-TV, through its network of satellite stations and translators, is able to serve all 100 counties in North Carolina with a free, over-the-air broadcast service. UNC-TV's signal is also retransmitted by all but one cable television system in the state. UNC-TV is currently unable to obtain satellite carriage of its local network satellite stations on a local-into-local basis in nine counties (Camden, Chowan, Currituck, Dare, Gates, Hertford, Northampton, Pasquotank, and Perquimans Counties) in northeastern North Carolina.

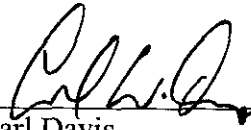
5. WUND's transmission facilities are located near the Tyrrell County line, approximately 5.5 miles west of Columbia. The State of North Carolina owns the tower and accompanying real estate accommodating these transmission facilities. As recently as 1999, UNC spent more than \$7 million to upgrade its facilities at this site to provide a more robust signal to northeastern North Carolina and to accommodate digital operation. Given this recent

upgrade, and given UNC's ownership of the facilities, there is no technical or operational reason to move the existing WUND facilities if the community of license is changed. Moreover, UNC-TV has no plans or intention to move the existing WUND facilities. Therefore, citizens in Columbia and Tyrrell County will continue to receive WUND programming over-the-air and via cable carriage as they always have.

[signature appears on following page]

The undersigned, under penalty of perjury, declares the foregoing to be true, complete, and correct to the best of his personal knowledge.

This, the 24th day of September, 2004.



Carl Davis
Assistant General Manager
and Director of Engineering

Exhibit 1
[UNC-TV coverage map]

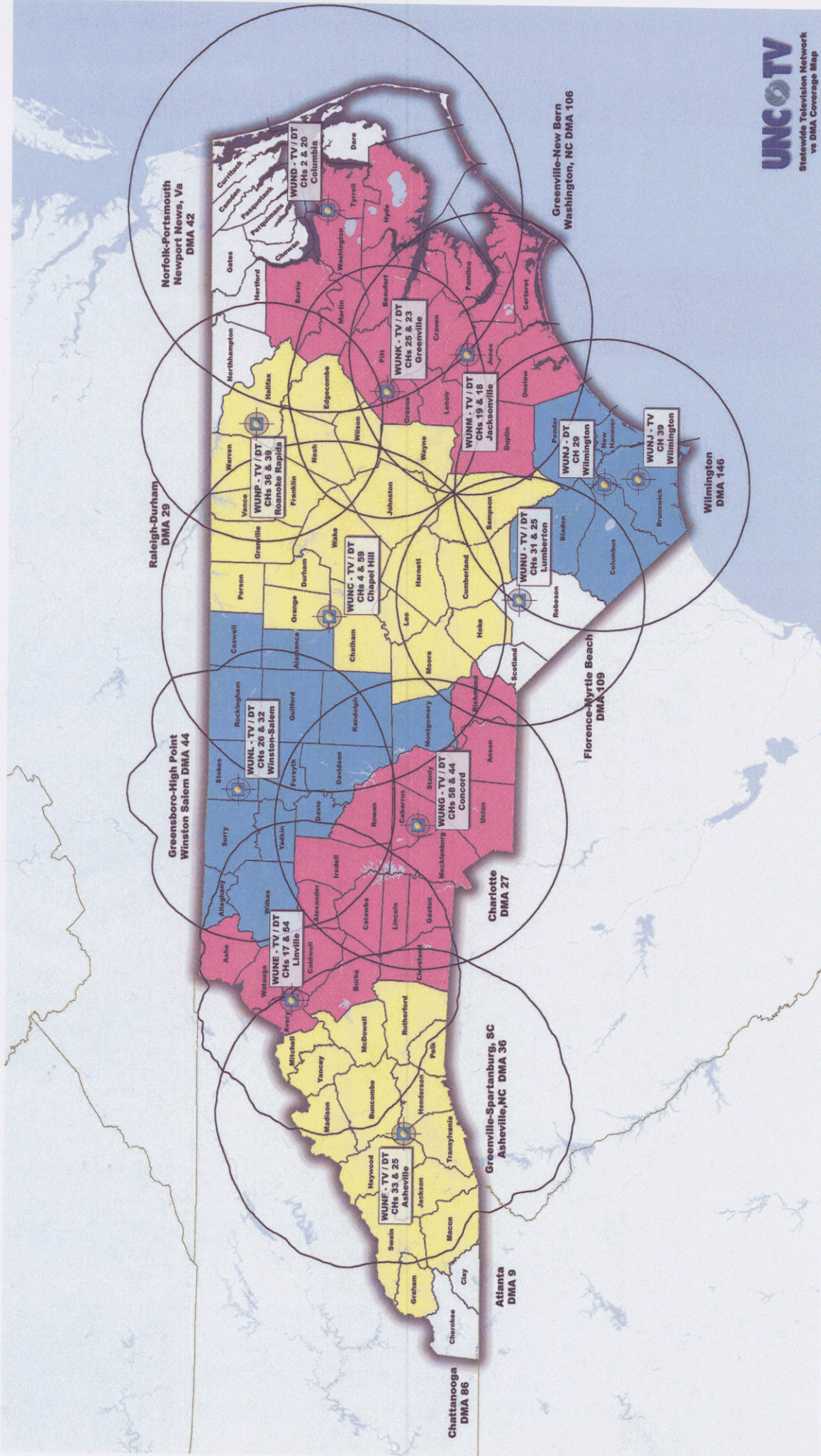


Exhibit 2

[Nine County area map]

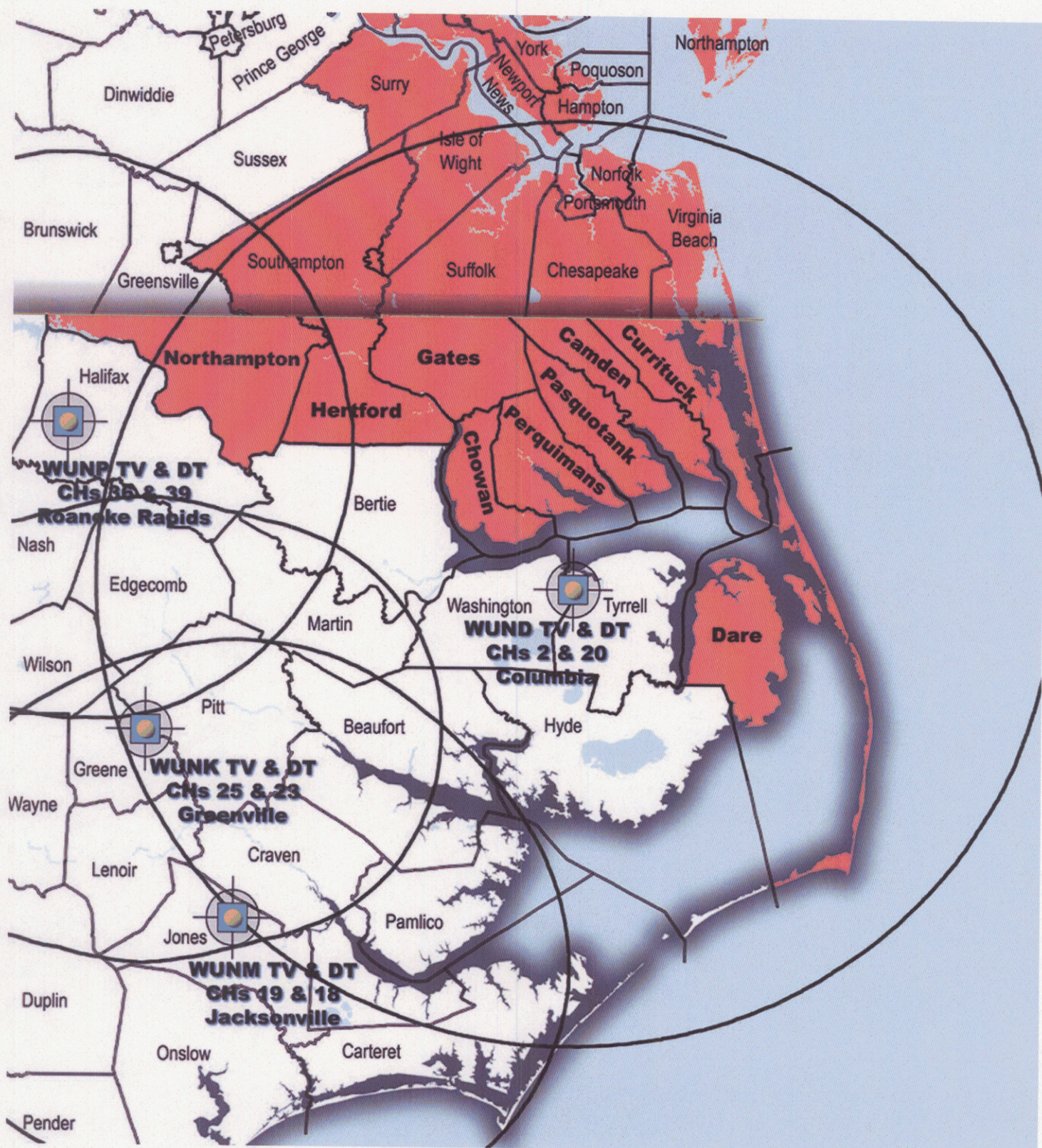


Exhibit 3

[du Treil engineering statement]

ENGINEERING STATEMENT
CONCERNING TELEVISION SERVICES ANALYSIS
PREPARED FOR
THE UNIVERSITY OF NORTH CAROLINA
TELEVISION STATION WUND-TV/DT

This Engineering Statement was prepared on behalf of the University of North Carolina concerning an analysis of other television services within the Norfolk-Portsmouth-Newport News DMA ("the Tidewater Market") and an analysis of other television reception services to Edenton and Columbia, both North Carolina.

An analysis reveals the following television transmission services licensed to the Tidewater Market:

Call Sign	City, State	Channels
WTKR(TV)	Norfolk, VA	3 TV, 40 DTV
WSKY-TV	Manteo, NC	4 TV, 4 DTV*
WAVY-TV	Portsmouth, VA	10 TV, 31 DTV
WVEC-TV	Hampton, VA	13 TV, 41 DTV
WHRO-TV	Hampton-Norfolk, VA	*15 TV, *16 DTV
WGNT(TV)	Portsmouth, VA	27 TV, 50 DTV
WTVZ-TV	Norfolk, VA	33 TV, 38 DTV
WVBT(TV)	Virginia Beach, VA	43 TV, 29 DTV
WPXV(TV)	Norfolk, VA	49 TV, 46 DTV

An analysis was conducted of other television reception services to the Tidewater market and to the communities of Edenton and Columbia. Only full-service television stations that are licensed or on-the-air via DTV STA were considered in the analysis. Both non-commercial and commercial television stations were considered.

* WSKY-TV has no paired DTV channel allotment.

The analysis was conducted using the predicted Grade B contours of the analog facilities and the noise-limited (NL) contours of DTV stations. The Grade B/NL contours were calculated according to the conventional methods outlined in Sections 73.625 and 73.684 of the FCC Rules using the U.S.G.S. 3-second terrain database. The FCC CDBS Engineering Database was the source of the technical information for the stations under study. There was no consideration of predicted interference received with respect to any of the stations considered.

The predicted contours of the subject stations were projected on a map to analyze and count the television services available in the communities of Edenton and Columbia and throughout the Tidewater Market. The population was analyzed using the 2000 Census block data.

Figure 1 is a tabulation of television reception services available in Edenton and Columbia. There is an indication in the tabulation of the percentage of the community population served by the respective stations listed. The analog services are indicated with shading in the table. The WUND television facility is included in the analysis.

For Edenton, there is a total count of 19 television reception services providing service to 50% or more of the community (based on population). Of that there are 9 analog television services providing service to 50% or more of the community.

For Columbia, there is a total count of 5 television reception services providing service to 50% or more of the community. Of that there are 3 analog television services providing service to 50% or more of the community.

Figure 2 is a tabulation of analog television transmission services to the Tidewater market. As indicated therein, there are as few as 0 and as many as 15 analog television reception services available in the Tidewater Market. There are 5 or more analog television reception services available to 95.3% of the Tidewater Market. The white (0 service) and grey (1 service) analog television service areas account for 1.5% of

the Tidewater Market. Figure 3 is a map illustrating the Tidewater Market and the other analog service contours.

Figure 4 is a tabulation of digital and analog television transmission services to the Tidewater market. As indicated therein, there are as few as 0 and as many as 28 digital and analog television reception services available in the Tidewater Market. There are 5 or more digital and analog television reception services available to 96.9% of the Tidewater Market. The white (0 service) and grey (1 service) digital and analog television service areas account for 0.9% of the Tidewater Market. Figure 5 is a map illustrating the Tidewater Market and the other digital and analog service contours.

Figure 6 is a tabulation of the stations considered in the analysis of other digital and analog transmission services.

With respect to alternate delivery service population within the North Carolina portion of the Tidewater Market, Decisionmark Corp. has provided the following information: As of July, 2004, there are approximately 9,528 households served via satellite with local-into-local service within the North Carolina portion of the Tidewater Market.

This statement was prepared by me or under my direction and it is true and correct to the best of my knowledge and belief.

Louis Robert du Treil, Jr., P.E.

du Treil, Lundin & Rackley, Inc.
201 Fletcher Ave.
Sarasota, Florida 34237

September 24, 2004

ENGINEERING STATEMENT
CONCERNING OTHER TELEVISION SERVICES ANALYSIS
PREPARED FOR
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TELEVISION STATION WUND-TV/DT

Television Reception Services Currently Received in Edenton and Columbia

Reception Services to Edenton, NC				
Call Sign	City	State	Channel	Percentage of Coverage
WUND-TV	COLUMBIA	NC	*2	100.0%
WTKR(TV)	NORFOLK	VA	3	100.0%
WSKY-TV	MANTEO	NC	4	100.0%
WITN-TV	WASHINGTON	NC	7	100.0%
WNCT-TV	GREENVILLE	NC	9	100.0%
WNCT-DT	GREENVILLE	NC	10	100.0%
WAVY-TV	PORTSMOUTH	VA	10	100.0%
WVEC-TV	HAMPTON	VA	13	100.0%
WHRO-DT	HAMPTON-NORFOLK	VA	*16	100.0%
WUND-DT	COLUMBIA	NC	*20	100.0%
WVBT-DT	VIRGINIA BEACH	VA	29	93.9%
WAVY-DT	PORTSMOUTH	VA	31	100.0%
WITN-DT	WASHINGTON	NC	32	100.0%
WTVZ-TV	NORFOLK	VA	33	90.7%
WTKR-DT	NORFOLK	VA	40	100.0%
WVEC-DT	HAMPTON	VA	41	100.0%
WPXV-DT	NORFOLK	VA	46	100.0%
WPXV(TV)	NORFOLK	VA	49	100.0%
WGNT-DT	PORTSMOUTH	VA	50	99.5%

Reception Services to Columbia, NC				
Call Sign	City	State	Channel	Percentage of Coverage
WUND-TV	COLUMBIA	NC	*2	100.0%
WTKR(TV)	NORFOLK	VA	3	100.0%
WSKY-TV	MANTEO	NC	4	100.0%
WNCT-DT	GREENVILLE	NC	10	66.8%
WUND-DT	COLUMBIA	NC	*20	100.0%
WTKR-DT	NORFOLK	VA	40	0.0%
WVEC-DT	HAMPTON	VA	41	0.0%
WPXV-DT	NORFOLK	VA	46	35.3%

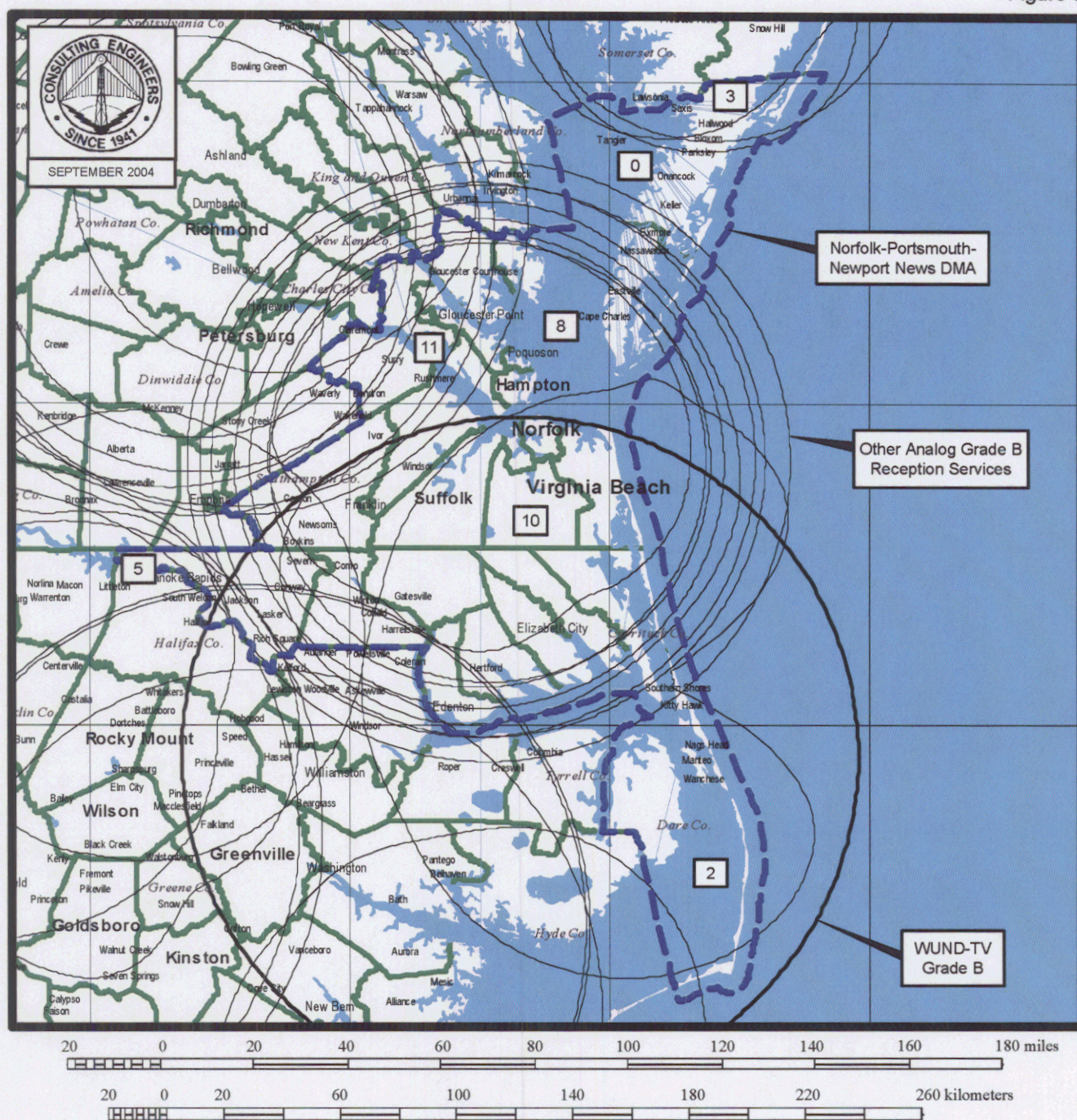
Figure 2

ENGINEERING STATEMENT
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Tabulation of Other Analog Reception Services to the Tidewater Market

<u>Number of Analog Television Reception Services Available</u>	<u>Population</u>	<u>Percentage of Tidewater Market</u>
0	15,836	0.9%
1	11,531	0.6%
2	32,672	1.8%
3	16,946	0.9%
4	8,306	0.5%
5	5,743	0.3%
6	3,574	0.2%
7	8,860	0.5%
8	277,962	15.4%
9	91,922	5.1%
10	1,231,193	68.2%
11	55,719	3.1%
12	10,736	0.6%
13	18,330	1.0%
14	14,291	0.8%
<u>15</u>	<u>2,821</u>	<u>0.2%</u>
Total	1,806,442	100.0%

Figure 3



TV RECEPTION SERVICES IN TIDEWATER MARKET

Prepared For:
THE UNIVERSITY OF NORTH CAROLINA

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

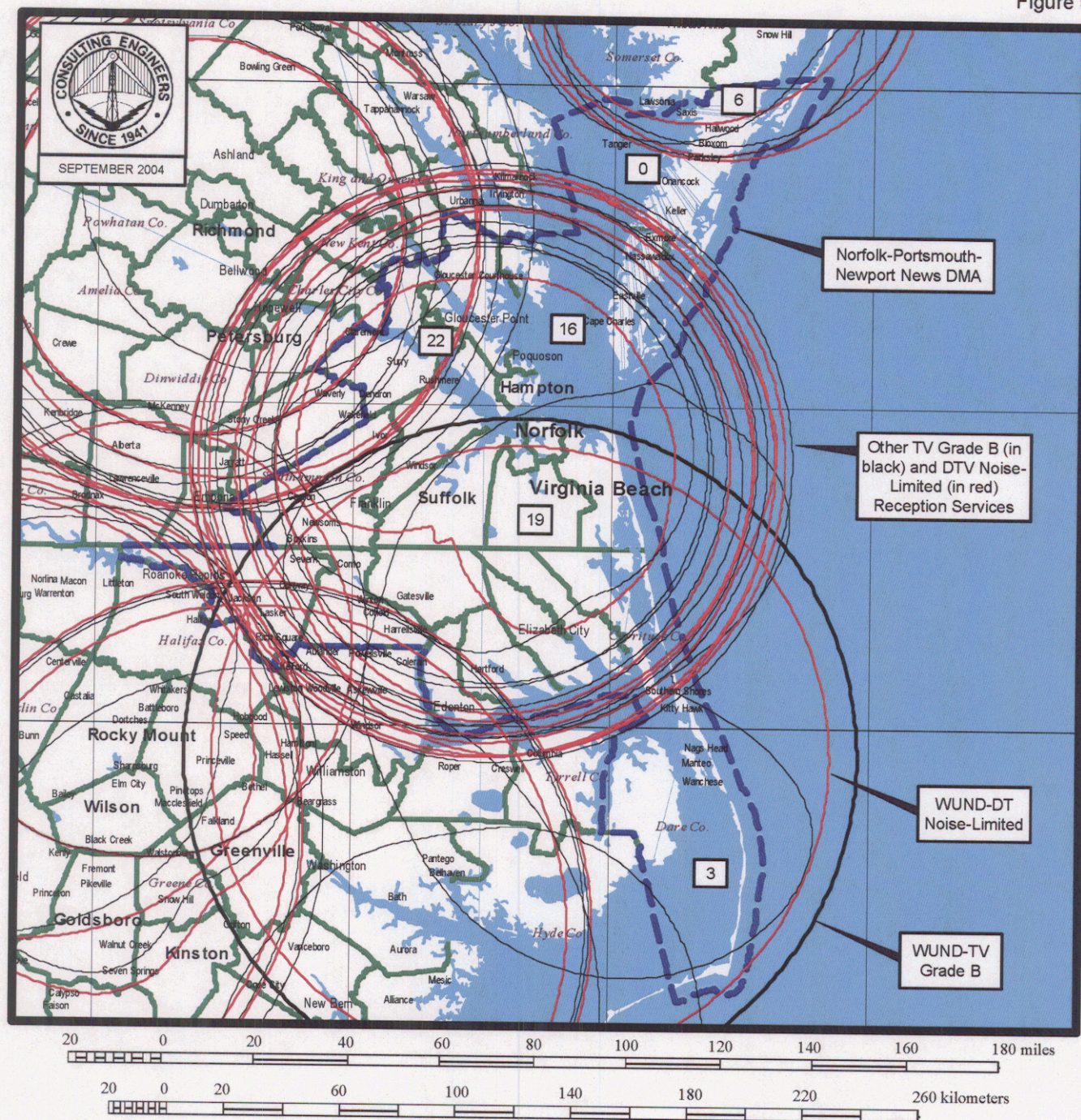
Figure 4

ENGINEERING STATEMENT
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 PREPARED FOR
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 TELEVISION STATION WUND-TV/DT

Tabulation of Other Analog and Digital Reception Services to the Tidewater Market

<u>Number of TV/DTV Television Reception Services Available</u>	<u>Population</u>	<u>Percentage of Tidewater Market</u>
0	15,041	0.8%
1	1,694	0.1%
2	4,444	0.2%
3	26,963	1.5%
4	8,164	0.5%
5	4,623	0.3%
6	10,612	0.6%
7	3,455	0.2%
8	4,546	0.3%
9	2,574	0.1%
10	3,151	0.2%
11	7,132	0.4%
12	2,631	0.1%
13	4,798	0.3%
14	5,315	0.3%
15	11,362	0.6%
16	436,554	24.2%
17	66,167	3.7%
18	378,396	20.9%
19	706,516	39.1%
20	9,449	0.5%
21	9,942	0.6%
22	40,534	2.2%
23	7,402	0.4%
24	22,366	1.2%
25	8,868	0.5%
26	997	0.1%
27	1,766	0.1%
<u>28</u>	<u>980</u>	<u>0.1%</u>
Total	1,806,442	100.0%

Figure 5



TV AND DTV RECEPTION SERVICES IN TIDEWATER MARKET

Prepared For:
THE UNIVERSITY OF NORTH CAROLINA

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

ENGINEERING STATEMENT
CONCERNING OTHER TELEVISION SERVICES ANALYSIS
PREPARED FOR
THE UNIVERSITY OF NORTH CAROLINA
TELEVISION STATION WUND-TV/DT

Tabulation of Stations Considered in Television Reception Analysis

<u>Call Sign</u>	<u>City</u>	<u>State</u>	<u>Channel</u>
WUND-TV	COLUMBIA	NC	*2
WTKR(TV)	NORFOLK	VA	3
WSKY-TV	MANTEO	NC	4
WRAL-TV	RALEIGH	NC	5
WTVR-TV	RICHMOND	VA	6
WITN-TV	WASHINGTON	NC	7
WFXI(TV)	MOREHEAD CITY	NC	8
WRIC-TV	PETERSBURG	VA	8
WNCT-TV	GREENVILLE	NC	9
WNCT-DT	GREENVILLE	NC	10
WAVY-TV	PORTSMOUTH	VA	10
WTVB(TV)	DURHAM	NC	11
WCTI-TV	NEW BERN	NC	12
WWBT(TV)	RICHMOND	VA	12
WVEC-TV	HAMPTON	VA	13
WRPX-DT	ROCKY MOUNT	NC	15
WHRO-TV	HAMPTON-NORFOLK	VA	*15
WBOC-TV	SALISBURY	MD	16
WHRO-DT	HAMPTON-NORFOLK	VA	*16
WUND-DT	COLUMBIA	NC	*20
WBOC-DT	SALISBURY	MD	21
WRIC-DT	PETERSBURG	VA	22
WCVE-TV	RICHMOND	VA	23
WTVR-DT	RICHMOND	VA	25
WRLH-DT	RICHMOND	VA	26
WGNT(TV)	PORTSMOUTH	VA	27
WCPB(TV)	SALISBURY	MD	28
WVBT-DT	VIRGINIA BEACH	VA	29
WRAY-TV	WILSON	NC	30
WAVY-DT	PORTSMOUTH	VA	31
WITN-DT	WASHINGTON	NC	32

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Tabulation of Stations Considered in Television Reception Analysis

<u>Call Sign</u>	<u>City</u>	<u>State</u>	<u>Channel</u>
WTVZ-TV	NORFOLK	VA	33
WRLH-TV	RICHMOND	VA	35
WUNP-TV	ROANOKE RAPIDS	NC	*36
WTVZ-DT	NORFOLK	VA	38
WUNP-DT	ROANOKE RAPIDS	NC	*39
WTKR-DT	NORFOLK	VA	40
WVEC-DT	HAMPTON	VA	41
WRAY-DT	WILSON	NC	42
WCVE-DT	RICHMOND	VA	42
WVBT(TV)	VIRGINIA BEACH	VA	43
WPXV-DT	NORFOLK	VA	46
WMDT(TV)	SALISBURY	MD	47
WRPX(TV)	ROCKY MOUNT	NC	47
WPXV(TV)	NORFOLK	VA	49
WGNT-DT	PORTSMOUTH	VA	50
WMDT-DT	SALISBURY	MD	53
WRAI-DT	RALEIGH	NC	53
WWBT-DT	RICHMOND	VA	54
WNCN-DT	GOLDSBORO	NC	55
WCPB-DT	SALISBURY	MD	56
WCVW(TV)	RICHMOND	VA	57
WUPV(TV)	ASHLAND	VA	65

Exhibit 4
[Nine County programs]

**NC NOW Features
for the Nine County Area
(Camden, Chowan, Currituck, Dare, Gates, Hertford,
Northampton, Pasquotank, Perquimans Counties)
2003 - 2004**

Sea Turtle Satellite Tracking

Aired: August 14, 2003

Duration: 5-7 minutes

Location: Pamlico Sound

Summary:

A study is underway to track the movements of sea turtles. The scientific data gathered will help state and federal agencies better understand animals and help them to develop more efficient ways of protecting the animals.

Blimp Ride

Aired: August 25, 2003

Duration: 5-7 minutes

Location: Outer Banks

Summary:

Producer Billy Barnes just returned from the coast, where he experienced a type of powered flight that existed long before the Wright Brothers were born.

Ocracoke Lighthouse

Aired: September 16, 2003

Duration: 5-7 minutes

Location: Ocracoke Island

Summary:

North Carolina's lighthouses have weathered numerous storms throughout the years, but the state's oldest beacon is the Ocracoke Lighthouse.

Outer Banks Recovers

Aired: September 22, 2003

Duration: 5-7 minutes

Location: Outer Banks

Summary:

Residents throughout eastern North Carolina spent the weekend cleaning up and there's still more to do. Rebecca Lindstrom went to Plymouth, Outer Banks and North Eastern North Carolina where the recovery effort continues.